Bradley J. Hamburger

Partner

bhamburger@gibsondunn.com

T: +1 213.229.7658

Los Angeles



Bradley J. Hamburger is a litigation partner in the Los Angeles office of Gibson, Dunn & Crutcher. His practice focuses on class actions and complex litigation in both trial courts and on appeal. He is a member of the firm's Class Actions, Appellate and Constitutional Law, and Labor and Employment practice groups.

Brad has represented clients in class actions and appeals across many areas of law, including employment, insurance, antitrust, consumer fraud, products liability, legal malpractice, and administrative law. He has briefed dozens of appeals, including cases in the United States Supreme Court, the Ninth Circuit, and the California Supreme Court, and has argued before the Ninth Circuit and the California Court of Appeal.

Brad has significant expertise in seeking interlocutory appellate review of class certification orders under Federal Rule of Civil Procedure 23(f), obtaining enforcement of arbitration agreements, and defending clients against representative actions under California's Labor Code Private Attorneys General Act ("PAGA"). Brad also regularly represents technology companies, and he has substantial experience litigating the application of Section 230 of the Communications Decency Act.

Brad has been ranked in the California Appellate Litigation category of the *Chambers USA* guide in 2023 and 2024, recognized as a 2023 Client Service All-Star MVP by *BTI Consulting Group*, included in *Lawdragon's* 2025-2026 "500 Leading Litigators in America" guide, and named a past Future Star and current Litigation Star by *Benchmark Litigation*. In 2022, *Law360* recognized Brad as a Rising Star in the Class Action category, and the *Los Angeles Business Journal* named him to its "Thriving In Their 40's: LA's Leaders of Influence" list. The *Daily Journal* named Brad as one of the top 40 lawyers in California under 40 in 2021. Brad also was part of the team that obtained one of the *Daily Journal*'s Top Verdicts in California 2022, *Ortiz v. Amazon.com LLC* et al., Case No. 4:17-cv-03820-JSW (N.D. Cal.), and Top Appellate Reversals of 2021, *Magadia v. Wal-Mart Associates, Inc*., 999 F.3d 668 (9th Cir. 2021).

Brad graduated *cum laude* from Harvard Law School in 2009. While at Harvard he served as co-Editor-in-Chief of the *Harvard Journal of Law & Technology* and was a member of the Board of Student Advisers. He graduated with honors from the University of California, Berkeley in 2004.

Prior to joining the firm, Brad served as a law clerk to the Honorable James V. Selna in the United States District Court for the Central District of California.

Recent Representative Matters Include:

- Won reversal from the en banc Sixth Circuit of an order certifying an insurance class action. *Clippinger v. State Farm Auto. Ins. Co.*, 173 F.4th 817 (6th Cir. 2026).
- Obtained Rule 23(f) review from the Eighth Circuit and then secured reversal of an

Capabilities

Class Actions
Appellate and Constitutional Law
Consumer Products and Retail
Insurance and Reinsurance
Labor and Employment
Law Firm Defense
Litigation
Mass Torts and Product Liability
Technology Litigation
Transnational Litigation
Trials

Credentials

Education

Harvard University - 2009 Juris Doctor

University of California - Berkeley - 2004 Bachelor of Arts

Admissions

California Bar

Clerkships

USDC, Central District of California, Hon. James V. Selna, 2009 - 2010

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order certifying a consumer class action. *In re Folgers Coffee Mktg.*, 159 F.4th 1151 (8th Cir. 2025).

- Secured an important decision from the United States Supreme Court in a high-profile case involving a constitutional challenge to ordinances prohibiting camping on public property. *City of Grants Pass, Oregon v. Johnson*, 144 S. Ct. 2202 (2024).
- Obtained affirmance from the Ninth Circuit of a summary judgment ruling in a high-stakes insurance coverage dispute relating to opioid distribution. *AIU Ins. Co. v. McKesson Corp.*, 2024 WL 302182 (9th Cir. 2024).
- Convinced the Ninth Circuit to vacate critical-habitat designations under the Endangered Species Act. *Ctr. for Biological Diversity v. United States Fish & Wildlife Serv.*, 67 F.4th 1027 (9th Cir. 2023).
- Secured affirmance from the Ninth Circuit of the denial of class certification in an insurance class action. *Lara v. First Nat'l Ins. Co. of Am.*, 25 F.4th 1134 (9th Cir. 2022).
- Defeated a motion for class certification and then secured a complete victory at trial in an employment misclassification action. *Ortiz v. Amazon.com LLC*, 2022 WL 1598968 (N.D. Cal. 2022).
- Successfully argued in opposition to a class certification motion in an employment class action. *Mabanta v. Prime Now LLC*, 2022 WL 1601415 (N.D. Cal. 2022).
- Obtained a significant ruling from the Ninth Circuit regarding the scope of the exception to Section 230 of the Communications Decency Act for certain sex-trafficking claims. *Does 1-6 v. Reddit, Inc.*, 51 F.4th 1137 (9th Cir. 2022).
- Obtained Rule 23(f) review from the Fourth Circuit of an order granting class certification in an antitrust class action, and then secured vacatur of the order. *In re Zetia (Ezetimibe) Antitrust Litig.*, 7 F.4th 227 (4th Cir. 2021).
- Secured a new trial in a dispute with a former motor vehicle franchisee after a jury had awarded $256 million in damages, and affirmance of that ruling from the California Court of Appeal. *Nissan Motor Acceptance Cases*, 63 Cal. App. 5th 793 (2021).
- Obtained a significant victory from the United States Supreme Court in an action seeking over $20 billion in damages. *Comcast Corp. v. Nat'l Ass'n of Afr. Am.-Owned Media*, 589 U.S. 327 (2020).

Brad was a key member of both the trial and appeal teams in Chevron's successful RICO action against a U.S. lawyer who was found to have fraudulently procured a multi-billion-dollar judgment against Chevron from an Ecuadorian court. After a seven-week bench trial in the Southern District of New York, the trial judge issued a 485-page decision in Chevron's favor, the Second Circuit affirmed in full, and the Supreme Court denied certiorari. *Chevron Corp. v. Donziger*, 974 F. Supp. 2d 362 (S.D.N.Y. 2014), *aff'd*, 833 F.3d 74 (2d Cir. 2016), *cert. denied*, 137 S. Ct. 2268 (2017).

Brad co-authored two chapters in the Third Edition of the American Bar Association's *A Practitioner's Guide to Class Actions* (2021), including the chapter on interlocutory appeals. His other publications include *Article III Standing and Absent Class Members*, 64 Emory L.J. 383 (2015) (with Theane Evangelis), and *Three Myths About Wal-Mart Stores, Inc. v.* Dukes, 82 Geo. Wash. L. Rev. Arguendo 45 (2014) (with Theodore J. Boutrous, Jr.).

Before entering law school, Brad taught middle school mathematics in New York City as a Teach for America corps member.

Brad is a member of the Board of Directors of the Friends of the Los Angeles County Law Library and also serves on the Teach for America Los Angeles Advisory Board.

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